

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 18.09.2019
CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.18467 of 2019

And

W.M.P.Nos.17788 and 17789 of 2019

T.Dhanasekaran

... Petitioner

Vs.

The District Collector,
Kancheepuram District,
Kancheepuram.

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the entire records relating to the impugned order passed by the respondent in his proceedings Rc.A3/13196/2017 Revenue Department, dated 22.07.2017 and quash the same and consequently directing the respondent to reinstate the petitioner into service along with backwages, attendant benefits and other monetary benefits to the petitioner.

For Petitioner : Mr.C.Prakasam

For Respondent : Mr.R.S.Selvam

Government Advocate

O R D E R

The petitioner has filed this writ petition seeking issuance of a Writ of Certiorarified Mandamus calling for the entire records relating to the impugned order passed by the respondent in his proceedings Rc.A3/13196/2017 Revenue Department, dated 22.07.2017 and to quash the same and to consequently direct the respondent to reinstate the petitioner into service along with backwages, attendant benefits and other monetary benefits to the petitioner.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondent.

3.The case of the petitioner is that the petitioner was placed under suspension under Rule 17 (e)(2) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules, on the ground that criminal case was registered against him for

demanding and accepting bribe amount of Rs.1,00,000/- in Vigilance and Anti Corruption Headquarters Cr.No.4 of 2017 under Section 7 of Prevention of Corruption Act, 1988, and was detained in judicial custody for more than forty eight hours, against which, the present writ petition has been filed.

4.The learned counsel appearing for the petitioner would submit that along with the petitioner, the RDO and Revenue Inspector were also tracked and they were also placed under suspension. Subsequently, they challenged the same before this Court in W.P.Nos.15122 of 2018 and 22586 of 2018 and this Court vide order dated 21.12.2018 and 09.01.2019 respectively, directed the respondent therein to revoke the order of suspension.

5.The learned counsel appearing for the petitioner would further submit that this Court has already granted an order of interim stay in the present case on 28.08.2019 and would further submit that the petitioner has made representation dated 18.03.2019, hence, it would suffice, if this Court issues a direction to the respondent to consider the said representation, in the light of the orders passed by this Court in W.P.Nos.15122 of 2018 and 22586 of 2018 dated 21.12.2018 and 09.01.2019 respectively and also requested that the interim order may be directed to be continued.

6.Considering the limited request made by the learned counsel appearing for the petitioner and since this Court has already granted

an order of interim stay in the present case on 28.08.2019, this Court, without expressing any opinion on the merits of the case, directs the respondent to consider the representation of the petitioner dated 18.03.2019 on merits and in accordance with law, as expeditiously as possible. The interim order already granted by this Court on 28.08.2019 shall continue till the disposal of the petitioner's representation dated 18.03.2019.

7.The writ petition is accordingly closed. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

The District Collector,
Kancheepuram District,
Kancheepuram.

+1 cc to Government Pleader Sr.No. 80761

W.P.No.18467 of 2019

And

W.M.P.Nos.17788 and 17789 of 2019

A.SK(23/10/2019)